

**City of Taylorsville
Planning Commission Meeting Minutes
December 10, 2019
Work-meeting – 6:00 p.m. – Regular Session – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission


Anna Barbieri – Chair
Marc McElreath - Vice Chair
Don Quigley
Kent Burggraaf
David Wright
Lynette Wendel
Gordon Willardson
Don Russell (Alternate) - Excused

Economic-Community Development Staff

Angela Price – Senior Planner
Amanda Roman – Associate Planner
Stephanie Shelman – Deputy City Attorney
Karyn Kerdolff – GIS Planner
Jean Gallegos/Admin Asst/Recorder
Wayne Harper/Director

PRESENT: Ernest Burgess, Lynn Rindlisbacher, Cory Moon

WORK MEETING – 6:00 P.M.

1. The Planning Commission and Staff held their holiday dinner, after which **Ms. Price** reviewed the agenda and discussed each item. She explained that the work session for December 2019 has been cancelled. She explained the need to identify all parcel numbers involved in these applications, adding that the motion verbiage must include both addresses and parcel identification numbers. Also, that the zoning map and the general plan amendments go before the City Council and do not have conditions tied to them, but the plat does.  6:42 PM **Commissioner Wright** gave his presentation about what transpired during the City Council meeting he recently attended.

Commissioner Barbieri called the meeting to order at 7:00 p.m. and welcomed those in attendance. She outlined procedures to be followed this evening during the remainder of the Planning Commission meeting including the Consent Agenda.

REGULAR SESSION  7:03 PM

CONSENT AGENDA

2. Review/approval of the Minutes for November 12, 2019.


MOTION: **Commissioner Wendel** - I move for approval of the Consent Agenda consisting of the Minutes for November 12, 2019, as presented.

SECOND: **Commissioner Wright**

VOTE: All Commissioners present voted in favor. Motion passes.

GENERAL PLAN AMENDMENTS, ZONING MAP AMENDMENTS, AND SUBDIVISION

PUBLIC HEARING

 **7:05 PM**

- 3.1 **Ms. Price** advised that she will be presenting the following items together and suggested taking public comment at

the end, to which **Commissioner Barbieri** agreed. **Ms. Price** said that Lynn Rindlisbacher on behalf of Dave Wilson is requesting a General Plan Amendment, Zoning Map Amendment, and Approval of a Preliminary Plat to facilitate the development of a nine-lot subdivision for approximately 5.31 acres. Mr. Rindlisbacher requests the following:

- General Plan amendment from Medium-Density Residential to Low-Density Residential;
- General Plan amendment from Community Commercial to Low-Density Residential;
- Zoning Map amendment from R-1-15 (One Residential Unit per 15,000 Square Feet) to R-1-10 (One Residential Unit per 10,000 Square Feet);
- Zoning Map amendment from Limited Commercial to R-1-10 (One Residential Unit per 10,000 Square Feet) and;
- Consideration of a Preliminary Plan for a nine-lot subdivision.


3.2 **Ms. Price** gave her presentation:

3.2.1 She reiterated that there are several parcel identification numbers that have the same address but have different General Plan and Zoning Map designations. That for purposes of these application requests, the Planning Commission will be asked to make recommendations based on parcel identification numbers rather than by address to ensure the proper designations are being applied to the correct parcels. Additionally, the Applicant will be cleaning up the parcels and addresses in the subdivision process. One thing for consideration she mentioned is that there is a private lane between Lots #8 and #9 and a flag lot between Lots #4 and #5. The applicant is requesting a waiver under City Ordinance 13.21.100P that says basically requirements to the section may be waived or modified by the Planning Commission after considering a recommendation from the City Engineer. This involves reducing the right-of-way from 50' to 40' which would waive the sidewalk and park strip on the south side of the subdivision. There is a canal and no homes there.

3.2.2 **Ms. Price** advised that when the Planning Staff was working with the applicant, they were trying to determine the right-of-way acquisition there and what types of leniencies were available in the Code to work with the property owner because it is a pinch point for them. Staff felt that not having homes on that side they felt comfortable bringing a recommendation before the Commission to waive the sidewalk/park strip requirement. The City Engineer stated, "Wilson Subdivision is proposing a reduced right-of-way to 40' on the private road entrance to their subdivision and Engineering recommends approval of this based on the reduced width at the entrance of the subdivision. There is no practical way to achieve a 50' right-of-way due to the existing property line on the north side and the canal on the south side. The concrete retaining wall will be used as needed on the south side along the canal wall." So that will be one of the things to be considered by the Commission this evening, along with the preliminary plat and that is included in the motion as well.

3.2.3 **Ms. Price** added that Parcel A is a private storm water detention area that is 6,049 square feet which will be managed by the HOA and CCNR's. The applicant has been working with UDOT on access from Redwood Road and the City will be requiring approval from UDOT on that access before approval is given on the subdivision. She went over the plat map on the image screen, which shows the road exception.

3.2.4 She briefly went over the review comments Staff has received so far. Worth noting is that a permit is needed from Salt Lake County Flood Control for storm water drainage and discharge into the canal. A geotechnical report is still needed. A design of the retaining wall at the entrance from Redwood Road is also still needed. There will also be requirement for detail on the canal fence as well. Taylorsville-Bennion Improvement District has some issues about looping the water line and making sure that tie happens correctly and additional comments regarding that will be sent to the applicant. Unified Fire Authority has approved this with a new fire hydrant and hammerhead included between Lot #8 and Lot #9. The Building Department is also asking for a Geotech report. The Planning Department has a few clerical things to be added to the plat in the civil set but nothing which would impact

preliminary approval; just making sure they have the HOA in place, they have a little bit of property to acquire on the north and south sides of the access road and from Redwood Road. She understood that the applicant has begun conversation with both the Canal Company and the northern boundary property owner on that property acquisition but wanted to get through this process before they went under contract for that purchase of property. That will also be a condition of approval on the plat. It will be required of the applicant to clean up the addresses before it is recorded.  Storm water impact fees need to be paid. A title report will need to be submitted and review comments from the Development Review Committee (DRC) will need to be addressed in their entirety. She went on to review Staff's Findings, Conditions for Approval, and Recommended Motions.

GENERAL PLAN AMENDMENTS

Agenda Item 3. File # 3G19 - Applicant – Lynn Rindlisbacher - Recommendation to the City Council for a General Plan Amendment from Medium-Density Residential to Low-Density Residential for the Properties Generally Located at 6581 South Redwood Road, 6577 South Redwood Road, 6573 South Redwood Road, and 6579 South Redwood Road. (Angela Price/Senior Planner)

Agenda Item 4. File #3G19 - Applicant – Lynn Rindlisbacher - Recommendation to the City Council for a General Plan Amendment from Community Commercial to Low-Density Residential for the Properties Generally Located at 681 South Redwood Road and 6621 South Redwood Road. (Angela Price/Senior Planner)

3.3 **General Plan Amendments**. The applicant is requesting a General Plan Amendment for two parcels from Community Commercial to Low-Density Residential, and seven parcels from Medium-Density Residential to Low-Density Residential. The property is owned by the Wilson family and there are three existing homes that will remain (Lots 4, 6, and 8). The structure on Lot 1 will be demolished in order for the lot to meet setback and right-of-way requirements. The Wilson families live on Lots 4, 6, and 8 and are designing the subdivision around those existing lots. They would like to remain in their homes and that is the reason for the General Plan amendment that is consistent with a single-family home development rather than a multi-family, medium-density development. The two parcels on Redwood Road that serve as access to the property are designated Community Commercial and will be amended to Low-Density Residential. The rest of the parcels have the designation of Medium-Density Residential and will be amended to Low-Density Residential to provide consistency with the General Plan residential categories. A re-zone to R-1-10 is requested to ensure consistency with the General Plan Low-Density designation.

General Plan Change - Parcel Summary:

Community Commercial to Low-Density Residential:

- 6581 South Redwood Road (Parcel ID 21224010140000)
- 6621 South Redwood Road (Parcel ID 21224010150000)

Medium-Density Residential to Low-Density Residential:

- 6581 South Redwood Road (Parcel ID 21224010080000)
- 6573 South Redwood Road (Parcel ID 21222570160000)
- 6579 South Redwood Road (Parcel ID 21222570120000)
- 6579 South Redwood Road (Parcel ID 21222570100000)
- 6579 South Redwood Road (Parcel ID 21224010060000)
- 6577 South Redwood Road (Parcel ID 21222570180000)
- 6577 South Redwood Road (Parcel ID 21222570180000)

ZONING MAP AMENDMENTS
PUBLIC HEARING

Agenda Item #5 File #13Z19 - Applicant – Lynn Rindlisbacher - Recommendation to the City Council for a Zoning Map Amendment from R-1-15 (One Residential Unit per 15,000 Square Feet) to R-1-10 (One Residential Unit per 10,000 Square Feet) for the Properties Generally Located at 6581 South Redwood Road, 6577 South Redwood Road, 6573 South Redwood Road, and 6579 South Redwood Road. (Angela Price/Senior Planner)

Agenda Item #6. File #13Z19 - Applicant – Lynn Rindlisbacher - Recommendation to the City Council for a Zoning Map Amendment from Limited Commercial to R-1-10 (One Residential Unit per 10,000 Square Feet) for the Properties Generally Located at 6581 South Redwood Road and 6621 South Redwood Road. (Angela Price/Senior Planner)

- 3.4 **Zoning Map Amendments.** The applicant is requesting a Zoning Map Amendment for two parcels from Limited Commercial to R-1-10 (One Residential Unit per 10,000 Square Feet), and for seven parcels from R-1-15 (One Residential Unit per 15,000 Square Feet) to R-1-10 (One Residential Unit per 10,000 Square Feet). The Zoning Map amendment would allow for the development of a nine-lot subdivision ranging in size from 11,754 square feet to 29,358 square feet.

Zoning Map Change - Parcel Summary:

Limited Commercial to R-1-10:

- 6581 South Redwood Road (Parcel ID 21224010140000)
- 6621 South Redwood Road (Parcel ID 21224010150000)

R-1-15 to R-1-10:

- 6581 South Redwood Road (Parcel ID 21224010080000)
- 6573 South Redwood Road (Parcel ID 21222570160000)
- 6579 South Redwood Road (Parcel ID 21222570120000)
- 6579 South Redwood Road (Parcel ID 21222570100000)
- 6579 South Redwood Road (Parcel ID 21224010060000)
- 6577 South Redwood Road (Parcel ID 21222570180000)
- 6577 South Redwood Road (Parcel ID 21222570180000)

SUBDIVISION

PUBLIC HEARING

Agenda Item #7. File #11S19 – Applicant – Lynn Rindlisbacher - Consideration of a Preliminary Plat for a Nine-Lot Subdivision for the Properties Generally Located at 6581 South Redwood Road, 6577 South Redwood Road, 6573 South Redwood Road, 6621 South Redwood Road, and 6579 South Redwood Road for Approximately 5.31 Acres. (Angela Price/Senior Planner)

- 3.5 **Ms. Price** said the properties are zoned R-1-15 and Limited Commercial. The applicant has requested a Zoning Map Amendment to R-1-10 to allow for the development of a nine-lot subdivision. The proposed subdivision will have lots varying in size from 11,754 to 29,358 square feet. To meet Code requirements, the lot frontages must be 80' for the R-1-10 zone; the proposed plat meets this requirement. If the Zoning Map Amendment is approved by

the City Council, the lots will be in compliance with the minimum square foot lot size. The proposed plat meets the setback requirements for the R-1-10 zone. She provided the following parcel summary for this subdivision as:

Preliminary Plat for a Nine-Lot Subdivision – Parcel Summary

- 6581 South Redwood Road (Parcel ID 21224010140000)
- 6621 South Redwood Road (Parcel ID 21224010150000)
- 6581 South Redwood Road (Parcel ID 21224010080000)
- 6573 South Redwood Road (Parcel ID 21222570160000)
- 6579 South Redwood Road (Parcel ID 21222570120000)
- 6579 South Redwood Road (Parcel ID 21222570100000)
- 6579 South Redwood Road (Parcel ID 21224010060000)
- 6577 South Redwood Road (Parcel ID 21222570180000)
- 6577 South Redwood Road (Parcel ID 21222570180000)

- 3.5.1 **Ms. Price** said the applicant is proposing a private road with a 50' right-of-way that has curb, gutter, sidewalk, and park strip. He is requesting a right-of-way reduction from 50' to 40' at the entrance of the subdivision from the Planning Commission (which is allowed under 13.21.100 (P) of Taylorsville City Code. In addition to the private road, the proposed plat includes a private lane between Lots 8 and 9. The City is requiring a note on the plat that parking is not allowed on the private lane and the applicant is proposing to install "no parking" signs at the entrance to the lane. The private lane meets the provisions outlined in 13.21.110. Additionally, the proposed plat has a flag lot between Lots #4 and #5 to consolidate drive-approaches. The plat includes a note that there is no parking on the flag lot. The flag lot is consistent with the provisions outlined in 13.21.220.

3.6 **STAFF FINDINGS (ALL ITEMS):**

1. This application was initiated by Lynn Rindlisbacher on behalf of Dave Wilson.
2. The applicant is requesting a General Plan amendment from Community Commercial to Low-Density Residential for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010140000) and 6621 South Redwood Road (Parcel ID 21224010150000).
3. A General Plan amendment from Medium-Density Residential to Low-Density Residential for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010080000), 6573 South Redwood Road (Parcel ID 21222570160000), 6579 South Redwood Road (Parcel ID 21222570120000), 6579 South Redwood Road (Parcel ID 21222570100000), 6579 South Redwood Road (Parcel ID 21224010060000), 6577 South Redwood Road (Parcel ID 21224010070000), and 6577 South Redwood Road (Parcel ID 21222570180000).
4. A zoning Map amendment from Limited Commercial to R-1-10 for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010140000) and 6621 South Redwood Road (Parcel ID 21224010150000).
5. A Zoning Map amendment from R-1-5 to R-1-10 for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010080000), 6573 South Redwood Road (Parcel ID 21222570160000), 6579 South Redwood Road (Parcel ID 21222570120000), 6579 South Redwood Road (Parcel ID 21222570100000), 6579 South Redwood Road (Parcel ID 21224010060000), 6577 South Redwood Road (Parcel ID 21224010070000), and 6577 South Redwood Road (Parcel ID 21222570180000).
6. Preliminary Plat consideration for a nine-lot subdivision for approximately 5.31 acres for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010140000), 6621 South Redwood Road (Parcel ID 21224010150000), 6581 South Redwood Road (Parcel ID 21224010080000), 6573 South Redwood Road (Parcel ID 21222570160000), 6579 South Redwood Road (Parcel ID 21222570120000), 6579 South Redwood Road (Parcel ID 21222570100000), 659 South Redwood Road (Parcel ID 21224010060000), 6577 South Redwood Road (Parcel ID 21224010070000), and 6577 South Redwood Road (Parcel ID 21222570180000).
7. The subdivision will have nine lots varying in size from 11,754 square feet to 29,358 square feet.


8. The proposed nine-lot subdivision has three homes that will remain on Lots 4, 6, and 7. The structure on Lot 1 will be demolished and re-built as part of the new subdivision.
9. A private road, private lane (Lots 8 and 9), flag lot (Lots 4 and 5), and private stormwater detention area (Parcel A) are proposed and meet Code requirements.
10. The applicant is requesting a right-of-way waiver from 50' to 40' for the entrance to the subdivision, which was recommended by the City Engineer per the requirements outlined in 13.21.100(P).
11. The applicant is working with UDOT on access to the property from Redwood Road.
12. The proposed plat meets minimum lot widths, lot frontage, and setback requirements if the General Plan and Zoning Map amendments are approved by the City Council.
13. The applicant request aligns with the General Plan amendment Findings and housing goals.
14. The Zoning Map amendment is congruent with adjacent land uses.
15. The Preliminary Plat meets the requirements outlined in 13.30.030 (C)(7).
16. A General Plan amendment must be approved or denied by the City Council.
17. A Zoning Map amendment must be approved or denied by the City Council.
18. A Preliminary Plat must be approved or denied by the Planning Commission.


3.7 **CONDITIONS FOR APPROVAL (ALL ITEMS):**

1. The addressing and parcel numbers will be cleaned up with the final plat.
2. A letter from UDOT approving the access will be required for final approval.
3. A Homeowner's Association and Codes, Covenants, and Restrictions will be set up and documentation will be provided to the City prior to final approval.
4. The property acquisition that is needed from the canal company and property owner to the north is acquired, and documentation is provided to the City prior to final approval.
5. The review comments provided by the Development Review Committee are addressed in their entirety prior to final approval being issued.
6. All applicable fees and bonds are paid prior to recording of the plat.
7. A Title report less than 90 days old at time of recording is provided before final approval is granted.
8. A Geotechnical Report is submitted and approved by the City.
9. The Preliminary Plat approval is contingent upon the City Council approving the General Plan and Zoning Map amendments.
10. The Plat is recorded with Salt Lake County.
11. The final plat is compliant with all applicable codes and ordinances.

3.8 **STAFF RECOMMENDATIONS:** Staff recommends that the Planning Commission sends a positive recommendation to the City Council for a General Plan Amendment from Community Commercial to Low-Density Residential, and Medium-Density Residential to Low-Density Residential; and a Zoning Map amendment from Limited Commercial to R-1-10, and R-1-15 to R-1-10; and approve the Preliminary Plat and right-of-way exception based on the Findings and Conditions outlined in the Staff Report. **Ms. Price** also outlined the recommended motions as contained in the Staff Report.

3.9 **DISCUSSION:**


3.9.1 **Commissioner Wendel** asked for clarification on where there would be a sidewalk and was advised by **Ms. Price** that there will be one on the north side which will include an ADA ramp thereon. 
7:36 PM


3.9.2 **Commissioner Wright** commented from a design standpoint  7:37 PM saying this is an important parcel in Taylorsville and he thought it would be nice to enhance that canal waterway. It looks like the proposal is to move the sidewalk from one side to the other and put in a fence along the edge. He felt that was heading in the direction of treating the canal as a liability. In his mind, it would be nice to make improvements along that canal as being one of the meaningful things left in Taylorsville and he felt it would be good to respond to that. He felt having the "Welcome to Taylorsville" sign there impacts the significance of the location. He felt there was an opportunity to


work with the property owner to come up with something that really would welcome people into the City. He felt there were more walking opportunities offered along the south side of the canal than on the north. He would like to encourage some sort of access along there. **Ms. Price** said that was a great point. She did not know if the applicant would want to install a fence there or not but the City Code does require fencing along the canal. She was supportive of Commissioner Wright's suggestions to look at this perspective in the future throughout the City. **Commissioner Wright** continued on to say that the main concern is protecting vehicles along the canal but felt adding something visually pleasing would be very beneficial to the City. He was adamant he wanted to see that happen and maybe that Staff could work with the applicant on that issue. **Commissioner Barbieri** commented that graffiti is a big concern for a solid wall, and she was leery of even having a fence there. **Commissioner Quigley** said that manufacturers have come a long way in the types of fencing they are creating, especially suggested looking at the black vinyl type fencing. That defining a non-climbable wall would be very difficult. **Ms. Price** said that the Code just says it must be a non-climbable fence and also it must meet the clear view zone requirements off of Redwood Road. Any changes to that would require a text amendment to the Code.

- 3.9.3 **Commissioner Burggraaf** commented that there is also a vinyl see-through type option for fencing now that might allow for a nicer view there and it would meet the 6' height requirement for the wall.





7:45 PM Another question he had was in the proposed motion section it talks about being based on the Findings and because it is potentially covering five different motions, there are a lot of Findings. For example, in the General Plan proposed amendment the Commission is required to potentially find a few things, one of which is it is in the public interest, along with other things. Those things didn't make it into the Findings Section, so in the Motion  the Commission is generally looking at Findings throughout the Staff Report and not merely in the section. **Ms. Price** said that was a good point and even as the Commissioner was saying that, she was thinking that the Findings are not applicable to each one of the motions. In the future, Staff will break those out better. So, there are Findings within the General Plan and then the Findings within the Staff Report. The Commission can delineate over those if preferred. **Commissioner Burggraaf** advised that whether they are delineated or whether it is a point of the minutes and record of the meeting that Findings is a capital letter without really referencing the Findings Section. Another example is Zoning Map Analysis where it says that, "The requested zoning map amendments are consistent", which is a Finding that Staff made and which the Commission is going to adopt but didn't make it down into the Findings Section.

- 3.9.4 **Ms. Price** said that actually is a Finding but was quoted a little differently. **Commissioner Burggraaf** said he was just bringing it up for clarity and did not need to necessarily adjust the Recommended Motion, just as a heads up for whoever is making the motion. His intent was that he did not see any problem with the Findings Staff has made within the report and felt it appropriate to include it when the motion is made. He said one other point is as far as the Conditions go, Condition #5, "Review comments provided by the Development Review Committee (DRC) are addressed in their entirety prior to final approval being issued", Staff mentioned that only some of the comments are included. He wanted to make sure all the DRC comments have been provided at this point that Staff intends for the applicant's compliance. **Ms. Price** advised that Staff has been working with this applicant for over a year now to make this work. The process is that each set of plans to the City requires two weeks to review. Once the civil set is received, it must include grading and physical requirements. For this particular project, Staff received the civil set a month ago and the DRC did their review, with a substantial amount of comments. That the applicant's design team then worked through the weekend in order to make it in time for this meeting.  The biggest concern is actually if this is

going to work, mostly to make sure it meets engineering standards. Planning, Engineering and Taylorsville-Bennion Water Improvement District still have comments out, but with no major concerns.  7:52 PM **Commissioner Burggraaf** said he just wanted to make sure the applicant was aware that they must consider the DRC concerns while moving forward and had seen the Staff Report and **Ms. Price** assured him that was the case, that none of the comments were new to the applicants and they had received a copy of the Staff Report.

3.10 **APPLICANT ADDRESS:** **Mr. Rindlisbacher** (representing the applicant) came forward to answer questions.

 7:55 PM

3.10.1 **Commissioner Barbieri** said she was interested to hear what the family intends to do with the canal, as far as screening is concerned. **Mr. Rindlisbacher** said the retaining wall that goes along the canal will not cover the entire length of the canal and will be approximately 100' maximum along the middle portion. **Commissioner Wright** added that there are more issues with how the City responds to that rather than the subdivision. He felt that chain link type fencing was not adequate there and would like to have something done differently there or at least the possibility undertaken to see what would be more appropriate there. **Commissioner Barbieri** asked if the fence presently in place at the canal is owned by the South Jordan Canal Company or the City. **Ms. Price** offered that it was probably the South Jordan Canal Company. She wanted to be very clear to delineate on the record that there is a retaining wall on the access off of Redwood Road and a canal fence that is required to go in along the canal per the requirements of City Code and also in the subdivision review design standards. There is a note on the civil set that states that fence will be there along with the retaining wall and that future designs would be coming in for those two things. 


3.10.2 **Commissioner Barbieri** reiterated that there will be the retaining wall and then the subdivision will have a fence and the canal will have a fence. **Ms. Price** responded that in theory the fence for the subdivision and the canal could be the same thing. For the developer to probably maximize their financial investment they would probably want to do that. **Mr. Rindlisbacher** said that he assumed the chain link fence would be on top of the retaining wall. He was not sure what the canal company's position for this would be. He said he knows the Commission is concerned about the aesthetics of how it looks but his main concern was the safety of the children in the neighborhood.

3.10.3 **Commissioner Wright** said that it was not an "either/or" condition but everyone knows what chain link fencing looks like and doing something else there could contribute much more with a better design or the City will lose an opportunity to enhance this site. **Mr. Rindlisbacher** said he would check with the developer to see what can be worked out. That someone had brought up the possibility of a black chain link fence, which can also be looked at. **Ms. Price** advised that chain link fencing is not allowed as a retaining wall.

3.10.4 **Commissioner Wendel** wanted to know where the applicant was at pertaining to meeting with UDOT for an access. **Mr. Rindlisbacher** said they have been promised that something would work here but won't know until the study is done on Redwood Road. **Commissioner Burggraaf** felt that since the four homes there presently access off of Redwood, the new access would probably be granted by UDOT. **Mr. Rindlisbacher** also advised that a soils report will be made and asked questions relative to what type of wall would be acceptable and **Ms. Price** said it must be not climbable and must be 6' high and comply with clear view restrictions.



3.11 **Commissioner Barbieri** opened the public hearing and asked if there were anyone wishing to speak.


3.12 **SPEAKING:** **Cory Moon** – Culpepper Circle, came forward. **Mr. Moon** was concerned about how this project will look from his back door and that the wall would create a graffiti problem for his property. He also wondered what kind of easement is in place for the other side of the canal. He mentioned that he likes how


the canal looks natural and felt the Ash trees presently there were the best buffer and asked that those be retained. He had no other concerns about this proposal.  8:12 PM


3.13 **Commissioner Barbieri** closed the public hearing and opened it for Planning Commission discussion or a motion.

3.14 **DISCUSSION:**


3.14.1 **Commissioner Wright**  8:13 PM said he had no problems with the subdivision as outlined tonight. He said that it would be nice for the applicant to work with the City in addressing the aesthetics from the entrance standpoint as well as maintaining some of the natural features of the property, especially those along the canal.  8:14 PM He added that he appreciated the public comment to promote something that will avoid graffiti or vandalism out there. **Commissioner Wendel** asked if that wouldn't belong under the subdivision motion and was advised by **Ms. Price** that was correct. **Commissioner Barbieri** suggested saying, "identify fencing that will deter graffiti". **Commissioner Burggraaf** asked if these were the sort of conditions that the Commission can add. This is an administrative decision and certain ordinances and laws must be met as shown in other conditions already outlined but it isn't an ordinance requirement that Commissioner Wright is suggesting, and he wanted to know if the Commission can actually impose such a condition for a subdivision.



3.14.2 **Commissioner Barbieri** suggested saying for the applicant to work with the City to address aesthetics, which is really broad and, in her mind, putting in conditions is a "reminder". **Commissioner Burggraaf** said that what is being proposed is to add a condition to the preliminary subdivision approval to work with the City on putting in a fence that will inhibit graffiti. It is a subdivision approval and he wanted to know if the Commission can actually add that type of condition for subdivision approval. The fence is part of the ordinance but installing a fence specifically that inhibits graffiti isn't a part of that ordinance. He wanted to know if that can be added as a condition for a subdivision approval. **Commissioner Barbieri** asked Ms. Shelman (Deputy City Attorney) and she replied, "likely, yes".  **Commissioner Barbieri** said that if the word *prevent* is used that is pretty certain and if the word is *deter* that is a little less certain.

3.14.3 **Ms. Price** said she wanted to make sure that Staff has a clear direction on what type of fencing material is being envisioned because really any type of fencing could be open for graffiti. She wants to make sure both Staff and the Applicant are meeting the intent of this condition in the motion. She asked what specific types of materials were being envisioned. **Commissioner Wright** said that it didn't necessarily have to be just fencing material, there could be vegetation combined back there with whatever fencing material. Maybe chain link with vegetation would be okay. **Ms. Price** said that chain link is specifically not allowed along a canal. **Commissioner Wright** asked if that was because it is right next the canal or if it is set back a little, would that make it different. **Ms. Price** was not able to locate that specific Code reference but said she would send it to everyone later. She just wanted to make sure she had clear marching orders from the Planning Commission in this regard to assure correct final approval is given.  **Commissioner Wright** said there are opportunities for discussing different design options here, but he was not sure he could come up with all those right now, but he felt a combination of something that would be less expensive, non-climbable, along with vegetation would provide a situation where there isn't going to be graffiti added thereto. There could be a tightly woven wire type fence with a finer mesh that a foot could not be inserted into to climb over. In talking about chain link, it is possible to get a foot into it. There are other type security fences on the market now and also some options that would be very expensive such as wrought iron.

3.14.4  8:21 PM **Commissioner Quigley** added that he thought the Commission had approved a chain link fence for a similar situation at the Muirhouse Subdivision along a canal there. **Commissioner**


Burggraaf added that he was able to locate the ordinance reference which is 13.28.110, Fencing Along Canals, which does specifically prohibit chain link fencing along canals. Then **Commissioner Quigley** wanted to know how that was approved for the Muirhouse Subdivision then. **Mr. McGrath** advised that was a black, vinyl coated chain link fence and was approved as part of the SSD Ordinance for that one specific site only.

3.14.5. **Commissioner Wendel**  8:23 PM added that there are fence options, such as a vinyl fence that is slotted and is 6' high. There are "coyote rollers" available where there is wire in a PVC pipe or whatever material is matching the fence and it rolls, so nothing can grab on to get over the top of the fence. She suggested that the applicant just checks with an aluminum or vinyl fence manufacturer for those options.

3.14.6 **Commissioner Barbieri**  8:24 PM suggested finishing up this condition to identify fencing that discourages graffiti. **Commissioner Burggraaf** wanted to know if the Commission is comfortable adding this condition even though the ordinance already lays out requirements and design standards for this sort of thing. This would go beyond what the ordinance specifies. He expressed concern with that action but was more concerned whether the applicant has a problem with that and wants to make an issue of it. So maybe the applicant should have a chance to respond to that. **Mr. Rindlisbacher** said he was not quite clear what this issue is. **Commissioner Burggraaf** said the reality is that the City Ordinance lays out certain requirements, and design standards, as well as other requirements for subdivisions. The Commission is discussing potentially getting a little more specific about what it wants to see as far as fencing along that canal as a condition of approving this. He asked Mr. Rindlisbacher if he had a problem if the Commission gets more specific about what they want to see as far as fencing inasmuch as the ordinance is not quite that specific. **Mr. Rindlisbacher** said that he doesn't mind looking into fence options he just was not sure what fence options are available, how much it would cost and what it would look like. The cost is the biggest factor since it is only for nine lots which requires putting in a retaining wall along the canal and going underneath the canal with a water line. That starts out being a major expense for this relatively small subdivision. He was sure there could be no solution for this tonight and suggested that he would find some options and then schedule a staff meeting with the City to talk about the fence issue. Commissioners were supportive of that approach. **Commissioner Barbieri** said for him to work with the City to identify appropriate fencing. 

Commissioner Barbieri asked the Commissioners for a motion.

3.15 **MOTIONS:**

3.15.1 **MOTION #1: (FILE #3G19)**  8:28 PM **General Plan Amendments. Commissioner Wendel** – I move that we send a positive recommendation to the City Council for File #3G19 for a General Plan Amendment from Community Commercial to Low-Density Residential for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010140000) and 6621 South Redwood Road (Parcel ID 21224010150000), based on the Findings outlined in the Staff Report.


I also move that we send a positive recommendation to the City Council for File #3G19 for a General Plan Amendment from Medium-Density Residential to Low-Density Residential for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010080000), 6573 South Redwood Road (Parcel ID 2122570160000), 6579 South Redwood Road (Parcel ID 2122570120000), 6579 South Redwood Road (Parcel ID 2122570100000), 6579 South Redwood Road (Parcel ID 21224010060000), 6577 South Redwood Road (Parcel ID 21224010070000), and 6577 South Redwood Road (Parcel ID 2122570180000), based on the Findings outlined in the Staff Report.

SECOND: Commissioner Wright  8:31 PM I will second the motion.

Discussion: Commissioner Burggraaf asked which item. For clarification, I feel she technically made two motions. Commissioner Wendel – I combined them both under the General Plan Amendment for File #3G19. It just separates out the property. Commissioner Burggraaf – Are we okay with doing it as one whole motion or do we need to have them separated? Ms. Price - I think it is fine with this one if you want to do it as it was stated by Commissioner Wendel, as one motion for each. But for the next one, vote on #1 and #2. (Commissioner Wendel agreed to restate Motion #2).


- 3.15.2 MOTION #2: (File #3G19) - Commissioner Wendel – The General Plan Amendment for File #3G19, including all of those different parcels, for the same reason, from Community Commercial to Low-Density and Medium Density to Low-Density. Commissioner Barbieri – Items #3 and #4 on the agenda for this evening.

VOTE: All Commissioners present voted in favor. Motions pass unanimously.

- 3.15.3 MOTION #1: (FILE #13Z19) (Zoning Map Amendment) Commissioner Burggraaf -  8:32 PM I move that we send a positive recommendation to the City Council for File #13Z19 for a zoning Map Amendment from Limited Commercial to R-1-10 for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010140000) and 6621 South Redwood Road (Parcel ID 21224010150000), based on the Findings outlined in the Staff Report.

SECOND: Commissioner Wendel


VOTE: All Commissioners present voted in favor. Motion passes unanimously.

- 3.15.4 MOTION #2: (FILE #13Z19) (Zoning Map Amendment) Commissioner Burggraaf -  8:34 PM I move that we send a positive recommendation to the City Council for File #13Z19 for a zoning Map Amendment from R-1-15 to R-1-10 for the parcels generally located at 6581 South Redwood Road (Parcel ID 212240010080000), 6573 South Redwood Road (Parcel ID 21222570160000), 6579 South Redwood Road (Parcel ID 21222570120000), 6579 South Redwood Road (Parcel ID 21222570100000), 6579 South Redwood Road (Parcel ID 21224010060000), 6577 South Redwood Road (Parcel ID 21224010070000), and 6577 South Redwood Road (Parcel ID 21222570180000), based on the Findings outlined in the Staff Report.

SECOND: Commissioner McElreath

VOTE: All Commissioners present voted in favor. Motion passes unanimously.

- 3.15.5 Commissioner Barbieri prefaced the making of the motion for the subdivision saying that this is for the subdivision and if the Commissioners would like to add the additional conditions, they would need to include them in the motion. She then asked for a motion for the subdivision.

- 3.15.6 MOTION: (FILE #11S19) (Nine-Lot Subdivision) Commissioner Wright  8:35 PM I move that the Planning Commission approves File 11S19 for Preliminary Plat for a nine-lot subdivision for the parcels generally located at 6581 South Redwood Road (Parcel ID 21224010140000), 6621 South Redwood Road (Parcel ID 21224010150000), 6581 South Redwood Road (Parcel ID 21224010080000), 6573 South Redwood Road (Parcel ID 21222570160000), 6579 South Redwood Road (Parcel ID 212224701020000) 6579 South Redwood Road (Parcel ID 21222570100000), 6579 South Redwood Road (Parcel ID 21224010060000), 6577 South Redwood Road (Parcel ID 21224010070000), and 6577 South Redwood Road (Parcel ID 21222570180000) and grant a waiver for the 40' right of way as seen in Exhibit H, based on the Findings and Conditions outlined in the Staff Report. Commissioner Barbieri – Do you want to add a condition or leave it as is? Commissioner Wright – I think they are already looking at it, so I don't know that we need to add the condition there. I think Staff is already there, so no.

SECOND: Commissioner Wendel

VOTE: All Commissioners present voted in favor. Motion passes unanimously.

8. Discussion Regarding City Center Open Space. (Mark McGrath)



8:47 PM **Mr. McGrath** said the schematic design for the City Center open space design is scheduled to be completed the final week of December 2019. Prior to finalizing the schematic design, Staff wishes to review the preliminary design with the Planning Commission for input and informational purposes. He gave a Power-Point presentation regarding the proposed open space development for the remaining City Center site. He felt it will create a place of beauty and dignity and ensure compatibility with existing improvements. A few of the items being proposed are an amphitheater, bathroom facilities, playground, and plaza space. Also included are programming for events and celebrations, such as farmer's markets, arts festivals, food festivals, movies in the park, food truck events. It also includes the new Performing Arts Center events, expansion space for Taylorsville Dayzz, and four-season activities for a "community gathering place". He showed the old site plan for the City Center open space and compared it with the latest version of the same area. He explained in detail the proposed water feature, which will have a boardwalk area and include cascading water. Commissioners thanked him for the presentation and offered a suggestion to include more trees on the overall site.

ADJOURNMENT: By motion of **Commissioner Quigley** the meeting was adjourned at 9:35 p.m.

Minutes prepared and submitted by:

Jean Gallegos, Admin Assistant/Recorder for the
Taylorsville City Planning Commission

Approved in meeting held on January 14, 2020.